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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/683,941

10/09/2003

Harlan T. Beverly

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07/11/2008

KONRAD RAYNES & VICTOR, LLP.

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EXAMINER

HUSSAIN, TAUQIR

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

07/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/683,941	Applicant(s) BEVERLY ET AL.	
	Examiner TAUQIR HUSSAIN	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to amendment /reconsideration filed on 03/31/2008, the amendment/reconsideration has been considered. Claims 1, 11 and 21 have been amended, claims 1-30 are pending for examination, the rejection cited as stated below.

Response to Arguments

2. Applicant's arguments filed on 03/31/2008 have been fully considered but they are not deemed to be persuasive. In the remarks, applicant argued in substance that

(a) Prior art, Porterfield, Tang and Siddabathuni does not teach, "wherein the data is stored in a plurality of unpinned physical location of the memory".

(b) Prior art, Porterfield, Tang and Siddabathuni does not teach, "the sending agent providing to the host at least some of the virtual memory addresses of the data to be sent to the destination".

(c) Prior art, Porterfield, Tang and Siddabathuni does not teach, "the host of the source identifying to the sending agent [of the source] the data addressed by the virtual memory addresses provided by the sending agent [of the source]" as required by claim 1.

As to point (A), Examiner respectfully disagree and giving the broadest interpretation to the limitation, "wherein the data is stored in a plurality of unpinned physical location of the memory" as recited in independent claims 1, 11 and 21, Examiner points to Tang, Fig.1, element-110, where unpinned can merely be related to

as unlocked physical location, beside it is addressed in AAPA section of instant application that data is stored in a plurality of physical location of the memory (Fig.2, element-52, 10a, 10b, 10c).

As to point (b), Examiner respectfully disagree and points to Porterfield, Col.3, lines 35-65 and more specifically in lines 54-60, where translator 205 makes a request to memory through switch 201, seeking a physical address that corresponds to a virtual address received from original source device, further modification or concept between virtual memory and physical memory and placement of data from one location to another location, to one of the ordinary skilled in the analogous art will be obvious by combining Porterfield, Fig.6, Tang and Siddabathuni.

As to point (c), Examiner respectfully disagree, while giving the broadest interpretation to the claim language, points to Porterfield, Fig.6 as described in detail, where address translator checks cache for cache physical address in step 603, step-605 makes the determination whether address exists in cache or not, if not address translator makes a request to memory through switch to seek physical address which is located in source address translator destination, therefore it is obvious that source is identifying the physical data location which is referenced by other than the original data location in the memory of the source and further combining Tang and Siddabathuni with the Porterfield will help advancing the invention concept to one of the ordinary skilled in the art at the time the invention was made.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35 U.S.C 103(a) not included in this action can be found in a prior Office Action.
4. Claims 1-3, 11-13 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porterfield (Patent No.: US 6480951 B2), "Portfield" and Tang et al (Patent No.: US 6298371 B1), hereinafter "Tang" further in view of Siddabathuni (Patent No.: US 7290038 B2), hereinafter "Siddabathuni".
5. Claims 4-7, 10, 14-17, 20, 24-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portfield, Tang and Siddabathuni as applied to claims 1-3, 11-13 and 21-23 above further in view of Applicant admitted prior art, hereinafter, "AAPA".
6. Claims 8-9, 18-19 and 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Portfield, Tang and Siddabathuni further in view of Dunham (Patent No.: US 6269431 B1), hereinafter "Dunham".
7. Porterfield, Tang, Siddabathuni and Dunham have been cited as prior arts in the last office action. The teachings that applicable are respectfully maintained and incorporated by reference as set forth in the last office action.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAUQIR HUSSAIN whose telephone number is (571)270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571 272 3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/T. H./
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152